



DOCKET NO.: NAK-059-USA-C

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application of : **K. Matsutani, et al.**

Serial No. : **09/939,579**

Filing Date : **August 28, 2001**

Examiner : **D. Davis**

Art Unit : **3239**

REQUEST FOR CONTINUED EXAMINATION (RCE) PURSUANT TO
35 U.S.C. 132 AND 37 C.F.R. 1.114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTENTION: BOX CPA

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114, of application Serial No.: 09/939,579
filed on: August 28, 2001
entitled: Ophthalmologic Knife

by the following named inventor(s):

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There has been no payment of issue fee, abandonment of, or termination of proceedings in the above-identified prior application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. [X] Consider the amendment under 37 C.F.R. 1.116 previously filed on March 22, 2004, but unentered.
2. [] Consider the arguments in the Appeal Brief or Reply Brief previously filed on

The following items are enclosed:

1. [] Amendment/Reply
2. [] Affadavit(s)/Declaration(s)
3. [] Information Disclosure Statement

[] Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of months. (period of suspension shall not exceed 3 months; fee under 37 C.F.R. 1.17(i) is required)

FEES:

The filing fee under 37 C.F.R. 1.17(e), as required by 37 C.F.R. 1.114 is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

The total amount due for the filing fee in this case is:

Basic filing fee. \$ 770.00

Total Claims: 7 - 20 = 0 (No. extra)
Total Claims in excess of 20 = -0- @ \$18 each. \$ -0-

Total No. Independent Claims: 1 - 3 = 0 (No. extra)
Total Independent Claims in excess of 3 = 0 @ \$86 each. \$ -0-

Multiple dependency Claims @ \$145.	\$ -0-
TOTAL FILING FEE DUE	<u>\$ 770.00</u>
Reduction by 1/2 for filing by Small Entity (37 CFR 1.9, 1.27, 1.28)	<u>\$ 385.00</u>
GRAND TOTAL DUE	<u>\$ 385.00</u>

- PAYMENT is included in the amount of the GRAND TOTAL by our enclosed check in the amount of \$ 385.00.
- AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT NUMBER 20-1424

Authorization is hereby given to the Commissioner of Patents to charge Deposit account Number 20-1424 for any fees due in this application which have not been included in the payment enclosed.
- The applicant hereby requests an extension of time for any extension required by the Commissioner for any reason or to maintain this application in good standing before the Patent Office.
- The Commissioner is hereby authorized to charge \$ to the credit card identified in the attached Credit Card Payment Form.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications or a prior application if the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

Respectfully submitted,

TOWNSEND & BANTA

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Date: May 20, 2004

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